

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|---------------------------|---|--------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CR-21-76-11-SLP |
| |) | |
| JOSE LUIS TORRES NARANJO, |) | |
| |) | |
| Defendant. |) | |

ORDER

Before the Court is Defendant's pro se "Request Motion of Reconsideration of File-Resolution" [Doc. No. 750]. The Government has filed a Response in Opposition [Doc. No. 751].

On November 13, 2024, the Court entered an Order dismissing Defendant's request for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 821 to the United States Sentencing Guidelines. *See* [Doc. No. 744]. The Court concluded it lacked jurisdiction to grant the requested relief because Defendant was sentenced below the amended guideline range. *See id.* at 4. On March 3, 2025, Defendant filed the instant Motion seeking reconsideration of the dismissal. The Government opposes the requested relief, arguing Defendant's Motion is untimely.

"[A] motion to reconsider an order granting or denying a sentence modification under § 3582(c)(2) must be brought within the time granted to appeal that order." *United States v. Randall*, 666 F.3d 1238, 1243 (10th Cir. 2011); *see also United States v. Trejo*, No. CR 18-1243 RB, 2024 WL 5141462, at *2 (D.N.M. Dec. 11, 2024). Here, Defendant

had 14 days to appeal the Court's earlier Order. Fed. R. App. P. 4(b)(1)(A)(i). He filed his Motion to Reconsider 110 days after the Court entered its Order, however, so his Motion is untimely by 96 days. Accordingly, the Motion is DENIED.¹

IT IS SO ORDERED this 28th day of April, 2025.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE

¹ Additionally, nothing in the Motion casts doubt on the Court's prior ruling that it lacks jurisdiction to reduce Defendant's sentence.